UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,969	08/30/2001	Kay-Yut Chen	10004567-1	2217

7590 10/04/2005

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER	
MORAWSKI, LINDA	
ART UNIT	**PAPER NUMBER**
3623	

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/944,969	CHEN, KAY-YUT	
	Examiner	Art Unit	
	Linda Morawski	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 August 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 August 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Adler (US 2002/0169658).

As per claim 1, Adler teaches defining players including a set of rules (16, domain model), defining decision space (14, decision options), a decision making process tree (paragraph 7 and (12) plurality of scenarios), an information set, an outcome function (paragraph 75, summary report) and a payoff function for each player (paragraph 2 and 75, computed performance metrics); translating the player definitions into codified scripts (paragraph 40, simulation engine and paragraph 126); and executing the script where the outcome and payoff functions at the end of the execution determine the economic impact of the business policies defined by the rules (paragraph 75, computed performance metrics).

As per claim 2, Adler teaches the players being human (see claim 28).

As per claim 3, Adler teaches the players being human and automated (paragraph 49, user can edit: denotes human user, see also claim 28. See Table 8, items can be generated automatically: denotes non-human user).

As per claim 4, Adler teaches modifying the rules for one or more players (paragraph 75, modify domain models); translating the player definitions into codified scripts (paragraph 40, simulation engine and paragraph 126); and executing the script where the outcome and payoff functions at the end of the execution determine the economic impact of the business policies defined by the rules (paragraph 75, computed performance metrics).

As per claim 5, Adler teaches providing calibration data for the defined players (see claim 3) based upon sales information, wherein the scripts are generated in accordance with the player definitions and calibration data (paragraph 126).

As per claim 6, Adler teaches providing scenarios defining variations on the rules associated with one or more players (paragraph 88) which further comprises the step of generating scripts according to each player (paragraph 126, load into memory).

As per claim 7, Adler teaches the scripts are compiled on the fly during execution (paragraph 112, events can be injected as a static model or in real-time from an external data feed).

As per claim 8, Adler teaches the scripts are compiled in their entirety before execution (paragraph 112, events can be injected as a static model or in real-time from an external data feed).

As per claim 9, Adler teaches the rules associated with at least one player that defines at least one business policy from: advertising policy, sales policy, returns policy, rebate policy or advertised price policy (Table 8, Import data).

As per claim 10, Adler teaches a business process module for defining a plurality of players including a set of rules (16, domain model) defining a decision space (14, decision options), a decision making process tree (paragraph 7 and (12) plurality of scenarios), an information set, an outcome function (paragraph 75, summary report) and a payoff function for each player (paragraph 2 and 75, computed performance metrics); a script translator for translating player definitions into script (paragraph 40, simulation engine and paragraph 126), wherein the script defines at least one simulation stage; and a simulation module for executing the scripts (See Figure 11, Business Assess Exchange participation), wherein the result of the outcome and payoff functions at the end of the execution of one script stage determines the economic impact of the business policy as defined by the rules (claim 3 and paragraph 75, computed performance metrics).

As per claim 11, Adler teaches the players are human (see claim 28).

As per claim 12, Adler teaches the players are human and automated (paragraph 49, user can edit: denotes human user, see also claim 28. See Table 8, items can be generated automatically: denotes non-human user).

As per claim 13, Adler teaches a calibration module for providing data for defined players (claim 3) based upon sales information, wherein the scripts are generated in accordance with the player definitions and calibration data (paragraph 126).

As per claim 14, Adler teaches a database (paragraph 168) providing scenarios defining variations on rules associated with one or more players, wherein the script

translator generates scripts according to the player definition variations (paragraph 126).

As per claim 15, Adler teaches the scripts are compiled on the fly during execution (paragraph 112, events can be injected as a static model or in real-time from an external data feed).

As per claim 16, Adler teaches the scripts are compiled in their entirety before execution (paragraph 112, events can be injected as a static model or in real-time from an external data feed).

As per claim 17, Adler teaches the set of rules associated with at least one player defines at least one business policy from the set comprising: advertising policy, sales policy, returns policy, rebate policy and minimum advertised price policy (See Table 8, Import Data).

As per claim 18, Adler teaches defining at least one player, business rules (16, domain models), and an environment that defines actions the player can take in accordance with the rules (paragraph 7: decision tree and (12) plurality of scenarios); translating the definitions into codified script (paragraph 40, simulation engine and paragraph 127); and determining a behavioral outcome resulting from player-selected actions during execution of the codified script (paragraph 123 and claim 63).

As per claim 19, Adler teaches the behavioral outcome includes an economic state of each player (claim 51, where economic condition is an input to the system and therefore, must produce a subsequent output).

As per claim 20, Adler teaches executing variations of the script to identify business rules and environment definitions that result in a pre-determined economic state (claim 4).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents relate to the current application in that they all disclose systems for modeling and analyzing strategic business decisions. Honarvar et al (US 2004/0107132), Secor et al (US 2005/0027845), and Moran (US 6,430,542).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda Morawski whose telephone number is 571-272-6931. The examiner can normally be reached on Monday through Friday, 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LMM

9.28.05

TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600